

## **AGENDA**

**REGULAR MEETING  
BOARD OF COMMISSIONERS  
315 WEST SECOND STREET  
FRANKFORT, KY 40601  
(502) 875-8500**

**JANUARY 9, 2003  
5:00 P.M. (EST)**

- 1. INVOCATION** Vernon Carpenter, Associate Pastor, Hillcrest Baptist Church  
**ROLL CALL**  
**MINUTES** December 16, 2002 Work Session; December 19, 2002 Regular Meeting  
**MAYOR'S REPORT**

### **2. CEREMONIAL ITEMS**

- 2.1 Presentation on the 2003 Business Plan for the Frankfort Area Chamber of Commerce.

Background: On 12/10/02, the Frankfort Area Chamber of Commerce conducted their annual planning session at the Salato Wildlife Center with the Kentucky Department of Fish and Wildlife Game Farm in Franklin County. President Rodney Williams and Executive Director Mary Ellis will be in attendance to highlight the planning session and to identify goals and objectives for the Frankfort Area Chamber of Commerce over the coming year.

Attachments: None.

### **3. ORDINANCES**

- 3.1 Second reading of "An Ordinance Amending Frankfort Municipal Code Chapter 2.93, Salaries and Wages, Section 2.93.242 – Same – Entry Level Salaries and Salaries of Specially Qualified Public Safety Personnel and 2.93.250 Same – Advancement or Separation Following Probationary Period."

Purpose: The purpose of this ordinance is to allow the hiring of certified and experienced firefighters, firefighter-EMT's, firefighter-paramedics and peace officers to enter the service of the City at the level of pay they would receive as if their prior service had been with the City of Frankfort, up to a maximum of six (6) years. The ordinance further removes reference to eighteen (18) month probationary period. Other changes were made for the purpose of updating these sections.

Background: This ordinance was provided first reading on 12/19/02.

City Manager Comments: The final consideration of this ordinance is in advance of the scheduled comprehensive testing in the months ahead for police and fire personnel selection. The proposed ordinance is considered to be a tool to facilitate the selection of certified and experienced public safety personnel; however, it does not preclude the selection of lesser experienced candidates. The ordinance has been strongly endorsed by the Police Department and Fire Department.

Recommendation: Approval.

Attachment: Ordinance.

Contact Person

Name: Brenda Kersey

Ted Evans

Wallace Possich

Title:	Personnel Director	Police Chief	Fire Chief
Department:	City Manager's Office	Police Department	Fire Department
Phone:	(502) 875-8500	(502) 875-8523	(502) 875-8556
E-Mail	<a href="mailto:Bkersey@fewpb.com">Bkersey@fewpb.com</a>	<a href="mailto:Tevans@fewpb.com">Tevans@fewpb.com</a>	<a href="mailto:Wpossich@fewpb.com">Wpossich@fewpb.com</a>

3.2 Second reading of "An Ordinance Accepting Debbie Drive, Jason Drive, Majority Court, Murdock Court, Commodore Drive, Skipper Drive, Ensign Drive and Imperial Drive as Public Streets."  
(Public Works Department)

Purpose: The purpose of this item is to consider an ordinance to accept the streets within the Imperial Mobile Home Park Subdivision into the City street system for maintenance.

Background: This ordinance had its first reading 12/19/02.

City Manager Comments: This proposed ordinance follows a lengthy review process in considering the sanitation service for the referenced mobile home subdivision. Pursuant to legal opinion, the development was requested to consider the upgrading and dedication of the private roads in this subdivision to City standards. The ownership did follow this direction and this proposed ordinance now finally accepts the designated streets for City maintenance. The acceptance of the roadways also clarifies the sanitation service as meeting all requirements of the municipal code.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Jeff Hackbart  
Title: Director  
Department: Public Works  
Phone (502) 875-8563  
E-mail [jhackbrt@fewpb.com](mailto:jhackbrt@fewpb.com)

## 4. ORDERS

4.1 "An Order Pertaining to Media Relations for the City of Frankfort."

Purpose: The purpose of this item is to consider an order establishing a formal media relations program for the City of Frankfort. The order addresses the dissemination of press releases and public service announcements with media representatives. Furthermore, the order promotes a proactive approach in providing information on City policy decisions, operational programs, and community relations events with the media.

Background: The order has been under administrative review for several months to receive input from all City departments. At the present time, public information officers are active within the Police Department and Fire Department. The order establishes a third public information officer as the City Manager to cover the other general governmental departments of the City.

The Board of Commissioners reviewed the final draft of the proposed order at their work session on 1/6/03.

City Manager Comments: One of the first initiatives from the adoption of a media relations order will be to review the policy with all media representatives. A meeting with the editors at the State Journal is being scheduled to establish a practice of semiannual meetings with the local

newspaper to promote media relations.

Recommendation: Approval.

Attachments: Order.

Contact Person

Name: Robert C. Elliott  
Title: City Manager

Dan Shouse  
Public Education/Information  
Officer

Steve Clark  
Public Relations  
Officer

Department:

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Fire Department  
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Police Department  
(502) 875-8523  
[StClark@fewpb.com](mailto:StClark@fewpb.com)

## 5. RESOLUTIONS

- 5.1 "Resolution Providing Policy Direction from the 2003 Planning/Leadership Session of the Board of Commissioners of the City of Frankfort on Implementation Strategies for the Frankfort/Franklin County Comprehensive Plan."

Purpose: The purpose of this item is to consider a resolution highlighting policy actions from the recent 2003 Planning/Leadership Session of the Board of Commissioners held at the Capital Plaza Holiday Inn on January 3-4, 2003.

Background: The 2003 Planning/Leadership Session was held in a retreat format and was a provocative program on implementation strategies for the comprehensive plan. Director of Planning and Building Codes Gary Muller was a facilitator for an in-depth discussion on planning initiatives and development regulations. This component of the program provided extensive insight into the current development market within Frankfort and Franklin County.

Another component of the session was a joint discussion with representatives from the Frankfort/Franklin County Planning Commission on the development process.

Guest speakers were invited to the program involving Mr. Charlie Jones from the legal firm of McNamara & Jones, Ms. Patty Peavler from Farmers Bank & Capital Trust Co., and Mr. Bradley Sweazy from the Kentucky Housing Corporation. These speakers reviewed new development and redevelopment strategies for the Frankfort community and region.

A resolution has been prepared to highlight the key policy actions resulting from the planning/leadership session for Board consideration.

Recommendation: Approval.

Attachments: Resolution.

Contact Person

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Gary Muller  
Director  
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(502) 875-8567  
[GMuller@fewpb.com](mailto:GMuller@fewpb.com)

## 6. CONSENT CALENDAR

*Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Commission member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.*

6.1 Change Order No. 2 on the U.S. 60 Sanitary Sewer Force Main Project due to an Increase in Prevailing Wage Rates - HMB Professional Engineers, Inc. (Sewer Department)

Purpose: The purpose of this item is to consider Change Order No. 2 on a contract between the City of Frankfort and Perry Construction and increase the contract amount to cover the additional payroll costs due to an increase in the prevailing wage rates.

Background: The U.S. 60 force main is being constructed to replace the currently undersized force main from the Willowcrest Pump Station. This force main is located on the south side of U.S. 60 and is being constructed in two parts. Part of the force main is being constructed directly by the Frankfort Sewer Department on that portion of U.S. 60 that is currently four lanes. The Kentucky Transportation Cabinet, as part of the widening of U.S. 60, is constructing the part from the Kentucky Housing Corporation to Cardwell Lane on a reimbursable basis by the Department.

On 5/28/02, a contract was entered into between the City of Frankfort and Perry Construction to construct the City's portion of the U.S. 60 force main. Change Order No. 1, signed 5/28/02, was a contract reduction from \$197,519.00 to \$171,509.00. This reduction was the result of negotiations with the contractor extending the contract completion time.

HMB Engineers prepared plans and specifications for the project and is currently performing construction administration services. The prevailing wage rates printed in the specifications and used to formulate the bid were 2001 rates. Per the Kentucky Labor Board, the rates increased on 1/29/02 to 2002 rates. The contract was signed on 5/28/02 with the old rates. This change order is due to the labor rate increase from the 2001 rates to the 2002 rates. This increase was overlooked during preparation of the contract documents the signing of the contract.

Prevailing wages are the hourly wages, usual benefits and overtime, paid in each county, to the workers, laborers, and mechanics. Prevailing wages are established by the Department of Labor and Industries for each trade and occupation employed in the performance of public work. The rates are established separately for each county, and are reflective of local wage conditions. Awarding agencies must stipulate in bid specifications and contracts for public work that workers shall receive the prevailing wage rate. Those documents must also contain a list of the applicable prevailing wage rates.

The oversight in the rates was discovered during the project closeout. The project is complete and no additional change orders are anticipated for this portion of the project.

Financial Analysis:	<u>02-03 Budget</u>	<u>Request</u>
	\$50,000.00	\$3,175.30

Recommendation: Approval.

Attachments: Changer Order No. 2.  
Letter from HMB Engineers dated 12/31/02.

Contact Person

Name: William R. Scalf, Jr., PE  
Title: Director

Department: Sewer  
Phone: (502) 875-2448  
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- 6.2 Contract with Home Depot/Frankfort Depot to accept 3,916 lineal feet of 8-inch gravity sewer, 1,738 lineal feet of 8-inch force main, 24 manholes and one 315 gallon per minute duplex pump station into the Frankfort municipal sewer system. (Sewer Department)

Purpose: The purpose of this item is to approve a contract with Home Depot/Frankfort Depot to accept 3,916 lineal feet of 8-inch gravity sewer, 1,738 lineal feet of 8-inch force main, 24 manholes and one 315 gallon per minute duplex pump station into the Frankfort municipal sewer system.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

A representative of both Home Depot and Frankfort Depot has signed the Contract. Sanitary sewer plans and specifications have been prepared by the Home Depot engineer and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications with construction just recently completed. Final acceptance is contingent upon completion of the 30-day waiting period for testing, which is scheduled to begin in mid-January.

This sewer extension includes a new pump station to replace an existing pump station currently serving that area and has been sized to accept the flows projected for the entire development including the abandoned pump station.

Financial Analysis: N/A.

City Manager Comments: The Sewer Director has been working closely with the developer on this project to consider the final acceptance of the sanitary sewer improvements. Home Depot is planning a grand opening of the new commercial facility on 2/6/03. Accordingly, Board consideration of the sewer extension contract is timely to facilitate the business planning for this commercial development.

Recommendation: Approval.

Attachments: Sewer Extension Contract.  
Memorandum from Sewer Director dated 1/02/03.

Contact Person

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Department: Sewer  
Phone: (502) 875-2448  
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- 6.3 Proposal Award for E911 Dispatch Mapping Software. (Communications Department)

Background: The E911 Dispatch Center currently uses EmergiTech CAD (Computer Aided Dispatch) software and the Police Department uses EmergiTech RMS (Records Management System) software. The INTERMap Map Display Software is an add-on option to this current system. This software permits addresses to be located on a computer generated map screen as the E911 Dispatcher is handling the call. This is intended to improve the location of addresses of an incident for responding emergency units.

The Frankfort/Franklin Co. E911 Advisory Board is recommending the purchase of a mapping solution and that the software be purchased from EmergiTech, Inc. as a sole source provider.

The Purchasing Agent has approved this request as meeting the criteria for sole source purchase.

This should be handled as a sole source purchase for the following reasons:

Mapping solution purchased from EmergiTech:

- Software interfaces directly with the CAD/RMS software that is currently in use by the E911 Dispatch and Police Department.
- Software would reside on servers already owned and in use by Dispatch and Police.
- Can be utilized by the police for PIN mapping. This is a tool used for crime analysis and
- Would be warranted and maintained by same agency that maintains the current CAD/RMS software.

Mapping solution purchased from a different vendor:

- Mapping software that can be purchased from other sources will only partially interface with our current software and some of the data intelligence is not transferable.
- Would require the maintenance of two separate mapping databases.
- Mapping software purchased by the E911 Center would not be available to the police for PIN mapping.

Pricing: The original quote from EmergiTech was for \$40,250. The President of EmergiTech agreed to renegotiate this price and subsequently applied a 10% discount in two areas of the quote totaling \$2,700. This lowered the quote to \$37,550.

Financial Analysis: INTERMap Map Display Software	\$ 33,050
First year maintenance	<u>\$ 4,500</u>
Total	\$ 37,550

The funds for this purchase are appropriated in the E911 Budget.

City Manager Comments: A special presentation on the effectiveness of this software for enhancing the CAD system in the Communications Department was conducted at the Board work session on 12/2/02. A representative from EmergiTech was in attendance to demonstrate the enhanced features of the software for dispatch purposes. It has been the practice of the City of Frankfort to appropriate funds for use of E911 surcharge revenues to benefit the E911 system, subject to formal recommendation from the Advisory Board. The Advisory Board met following the Board work session and formally endorsed the proposed acquisition of this software.

Recommendation: Approval.

Attachments: Letter of proposal from EmergiTech dated 10/21/02.

Contact Person:

Name: Daryl S. Hensley  
Title: Director  
Department: Communications  
Phone: (502) 875-8582  
E-mail: dhensley@fewpb.com

#### 6.4 Bid Award for an Articulated Loader for Loading Biosolids at the Wastewater Treatment Plant. (Sewer Department)

Purpose: The purpose of this item is to consider the purchase of one 1998 or newer used Articulated 4x4 Front Wheel Loader.

Background: On 11/21/02, the Board of Commissioners authorized the Sewer Department to bid a 4x4 articulated front wheel loader with a 2.5-yard minimum bucket and 3.0-yard maximum bucket. The loader will be utilized to load biosolids at the wastewater treatment plant onto trucks for transport to the landfill. On 6/21/02, a contract for disposal of biosolids was awarded to BFI Services, Inc. Larger capacity vehicles are now being utilized to transport the material from the wastewater treatment plant to the landfill. The use of this loader with a larger capacity bucket will reduce loading time. In addition to loading biosolids, this loader will be utilized by other divisions in the Department to load soil, sand and gravel.

Currently the Department uses a front wheel drive backhoe with a 1.5-yard bucket. This was adequate with the smaller trucks used for the landfarming operation, but is time consuming with the larger trucks now being used.

Three bids were received on 12/17/02. The apparent low bidder, Holt Equipment, bid \$51,900 and met all of the technical specifications.

Financial Analysis:	<u>02-03 Budget</u>	<u>Request</u>
	\$30,000	\$51,900

Difference of \$21,900 to be absorbed from previous items that were purchased under budget.

Recommendation: Approval.

Attachments: Bid tabulation sheet for Bid Number 22005-68 plus memorandum from Sewer Director dated 1/02/03.

Contact Person:

Name:	William R. Scalf, Jr., PE	Jim Nichols
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Department:	Sewer	City Manager's Office
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Email:	<a href="mailto:wscalf@fewpb.com">wscalf@fewpb.com</a>	<a href="mailto:jnichols@fewpb.com">jnichols@fewpb.com</a>

6.5 Authorization to Pay Property Valuation Administrator (PVA) for 2002 City of Frankfort Property Tax Assessment. (Finance Department)

Purpose: The purpose of this item is to pay the PVA for use of county assessment for 2002 City ad valorem tax purposes.

Background: There is an annual fee as established by KRS 132.285 for the use of county assessment services for determining the 2002 City ad valorem tax values. The bill is for \$54,771.33; however, the statute allows for the maximum of \$40,000.00. Therefore, the amount due to the PVA for the 2002 assessment is \$40,000.00.

Financial Analysis:	<u>02-03 Budget</u>	<u>Request</u>
	\$40,000.00	\$40,000.00

Recommendation: Approval.

Attachments: None.

Contact Person

Name: James C. Rogers  
Title: Director  
Department: Finance  
Phone: (502) 875-8505  
E-Mail: JRogers@fewpb.com

6.6 Personnel.

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Effective Date</u>	<u>Other</u>
Appointment	Raymond Walters	Public Works	01/14/03	Maintenance Worker Sanitation
Promotion	Richard McKenna	Fire	01/10/03	From Firefighter/Paramedic to Sergeant
Confirmation	Charlene Hines	City Manager	01/02/03	Computer Specialist

Attachments: None.

Contact Person:

Name: Brenda Kersey  
Title: Personnel Director  
Department: City Manager's Office  
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E-Mail: Bkersey@fewpb.com

## 7. BOARD APPOINTMENTS

### 7.1 Appointment of Mayor Pro Tem for the Board of Commissioners.

Per Kentucky statutes, following each general election, the Board of Commissioners appoints a Mayor Pro Tem to serve in the official absence of the Mayor. The nomination of the Mayor Pro Tem comes from the Board of Commissioners rather than the Mayor, who nominates candidates for all advisory boards and commissions. The appointment power also resides with the Board of Commissioners.

Attachments: None.

## 8. OLD BUSINESS

None.

## 9. NEW BUSINESS

### 9.1 Engineering Service Contract with HMB Professional Engineers, Inc. to perform consulting services associated with sewer relocation for the widening of U.S. 421 from U.S. 60 to Chenault Road (Section 1). The Kentucky Transportation Cabinet (KTC) is performing the widening. (Sewer Department)

Purpose: This item is to consider execution of a contract with HMB Professional Engineers, Inc. (HMB) for planning and design of the relocation of sanitary sewers associated with the widening of U.S. 421 east of Frankfort.



Background: In September, 2002 the KTC forwarded a letter to the Sewer Department authorizing the Department to perform necessary field location and engineering studies to adequately locate and make a determination whether the Department's existing sanitary sewer facilities would have to be relocated to accommodate the proposed construction. This work is being done to determine if acquisition of permanent easements will be required for the proposed relocations. This letter stated that any costs incurred for the aforesaid work would be eligible for reimbursement by KTC through an Engineering Services Agreement.

HMB was selected because they are currently performing similar engineering services for the Sewer Department on two other projects being performed by KTC and are familiar with the requirements of the Cabinet and the Sewer Department.

This phase of the project includes planning and design costs associated with planning only. At this time, the Cabinet's consultant is finalizing right-of-way plans. Upon notification by KTC, an amendment to this contract will be necessary to cover final design costs, contract administration and construction inspection. These costs will also be eligible for reimbursement by KTC.

Financial Analysis: No financial impact to City; 100% reimbursement from Department of Transportation.

Recommendation: Approval.

Attachments: Engineering Services Contract.

Contact Person

Name: William R. Scalf, Jr., PE  
Title: Director  
Department: Sewer  
Phone: (502) 875-2448  
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## 9.2 Contract Execution on the Jones Run Pump Station Upgrade Project. (Public Works Department)

Purpose: The purpose of this item is to authorize contract execution for the Jones Run Project - Division No. 1 to MWI Corporation and Division No. 2 to Smith Contractors, Inc., pending final legal review.

Background: The Board of Commissioners awarded the bids for construction of the Jones Run Pump Station Upgrade Project on 12/19/02. The bids were opened on 11/21/02 and the City received one bid for Division No. 1 (pumps and controls) and five bids for Division No. 2 (sitework). The two contractors are coordinating with HMB Engineers on the contract documents. Contract for Division No. 1 to MWI Corporation is for \$464,223.00. MWI Corporation fabricated and installed the pumps in Jones Run Pump Station No. 2 and is familiar with the conditions and requirements of the Upgrade Project. Although MWI was the only bidder for the pumps and controls, HMB states that the bid price is in line with the project budget for the pumps and controls. HMB recommends that the City execute the contract with MWI Corporation as soon as possible since the pumps will take six months to build and test. The pump installation is slated for June, 2003 and a January notice to proceed will meet the project's time schedule.

Contract for Division No. 2 to Smith Contractors, Inc. is for \$796,000.00. Smith Contractors submitted the lowest base bid of the five Division No. 2 bidders and HMB performed performance and reference checks as part of their recommendation process. Site construction is slated for April, 2003 and will include the construction of the Jones Run No. 3 building, earthwork, and

underground utility work associated with the Project. HMB anticipates that the project completion date will be August of 2003.

City Solicitor Jim Higgs is reviewing the contract documents for this project. Particular attention is being given to the bonding requirements and an updated report will be provided to the Board of Commissioners at the work session on 1/6/03.

Financial Analysis: Capital Project Fund	<u>02-03 Budget</u>	<u>Request</u>
1. Holmes Street Sewer Separation and Drainage	3,350,000	
2. Jones Run Pump Station Engineering Services	150,000	1,260,223
		<u>80,000</u>
	3,500,000	1,340,223

Recommendation: Approval, subject to final legal review.

Attachments: Contracts.

Contact Person

Name: Jeff Hackbart  
Title: Director  
Department: Public Works  
Phone: (502) 875-8563  
E-mail: [jhackbrt@fewpb.com](mailto:jhackbrt@fewpb.com)

9.3 Emergency Authorization for Solid Waste Disposal Services for the City of Frankfort through BFI Services, Inc. (Public Works Department)

Purpose: The purpose of this item is to consider extending the current solid waste disposal services through BFI Services, Inc. on a month-to-month basis as an emergency declaration. BFI Services, Inc. has forwarded correspondence dated 1/02/03 identifying terms and conditions to accommodate the short term extension of disposal services prior to formal rebidding of the services.

Background: On 11/7/02, the Board formally rejected all bids for solid waste disposal services and authorized a new bid process. Furthermore, the Board directed the City Manager to conduct negotiations with BFI Services, Inc. to continue current disposal services until a new bid process can be concluded.

Public Works Director Jeff Hackbart and the City Manager have met directly with representatives from BFI Services, Inc. and have tentatively agreed to the terms specified in the 1/02/03 BFI communication, subject to final Board consideration.

An emergency authorization is recommended for this item to underscore the short term nature of the service extension and to maintain solid waste disposal services in the best interests of the Frankfort community.

Financial Analysis:	<u>02-03 Budget</u>	<u>Request</u>
	\$209,603 (as of 11/30/02)	Within budget appropriations

City Manager Comments: BFI Services, Inc. has communicated to the City Manager their acceptance of the terms for this solid waste disposal service, subject to Board endorsement.

Recommendation: Approval.

Attachments: Letter from BFI Services, Inc. dated 1/02/03.

Contact Person:

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**10. CITIZEN COMMENTS (Non-agenda items)**

**11. COMMISSIONER COMMENTS**

**12. ADJOURNMENT**